## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:	Group Art Unit: Not Yet Assigned
Brian Dam Pedersen	Examiner: Not Yet Assigned
Serial No.: Not Yet Assigned	) )
Filed: December 21, 2005	) )
For: A BINAURAL HEARING AID SYSTEM WITH COORDINATED SOUND PROCESSING	) ) )

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR § 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. Copies of US Patents and US Patent Publications are not enclosed, pursuant to the US Patent & Trademark Office waiver of this requirement under 37 CFR § 1.98 (a)(2)(i) for patent applications filed after June 30, 2003.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

## CERTIFICATE OF MAILING

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as Express Mail Post Office to Addressee service under 37 C.F.R. § 1.10 and is addressed to the Mail Stop PCT, Attn.: RO/US, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

December 21, 2005

Date of Deposit OC/214656.1

## Information Disclosure Statement Filing Provision:

filed ur 1.491;	three monder § 1. or (3) be	S is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) on the filing date of the application, which is not a continued prosecution application 53(d) or (2) within three months of entry of the national stage as set forth in 37 CFR § fore the mailing of a first Office action on the merits; or (4) before the mailing of a first fter filing a request for continued examination under § 1.114. Thus, no fee is required.			
		However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR §1.17(p) to the deposit account referenced below.			
		However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.			
on the 1	merits, t	S is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action out before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR			
		The fee due under 37 CFR § 1.17(p) is submitted herewith.			
		A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.			
~	or a No	S is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR office of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A r 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted			
		STATEMENT UNDER 37 CFR § 1.97(e):			
	Each it	em contained in this IDS was first cited in any communication from a foreign patent office			
in a coi	ınterpar	t foreign application not more than three months prior to the filing of this IDS.			
	No iten	n contained in this IDS was cited in a communication from a foreign patent office in a			
counterpart foreign application, and, to the knowledge of the person signing this statement after making					
reasona	able inqu	iry, no item of information contained in this IDS was known to any individual designated			
in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.					

10/561476 IAP12 Rec'd PCT/PTO 21 DEC 2005 Docket No. 2024429-7048712001

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	A check in the amount of is enclosed for the a	above fee(s).				
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	Although applicant believes no fee is required, the Commissioner is authorized to charge any fees					
	required by the filing of these papers, and to credit a	ny overpayment to Bingham McCutchen's				
	Deposit Account No. 50-2518.					
		Respectfully submitted,				
		BIGHAM McCUTCHEN LLP				
Dated:	<u>December 21, 2005</u> By:					
		Michael J. Bolan				
	HAM McCUTCHEN LLP Embarcadero, Suite 1800	Reg. No. 42,339				

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Substitute for form 1449A/PTO				Complete if Known		
INFORMATION DISCLOSURE				Application Number	Not Yet Assigned	
				Filing Date	December 21, 2005	
STA	STATEMENT BY APPLICANT		First Named Inventor	Brian Dam Pedersen		
		Group Art Unit	Not Yet Assigned			
(use as many sheets as necessary)			necessary)	Examiner Name	Not Yet Assigned	
Sheet	1	of	1	Attorney Docket Number	2024429-7048712001	

				U.S. F	PATENT DOCUM	ENTS		
		U.Ş. Pat	ent Document	Name of I	Patentee or Applicant	Date of Publication of	Pages, Columns, Lines, Where Relevan Passages or Relevant Figures Appear	
Examiner Initials *	Cite No.1	Number	Kind Code <sup>2</sup> (if known)		cited Document	Cited Document MM-DD-YYYY		
<u> </u>	1.	US-5,75	<del></del>	Line	demann et al.	05-26-1998		
<del></del>	2.	US-2002/0	0037087	A	llegro et al.	03-28-2002		
	3.	US-6,54	9,633	W	/estermann	04-15-2003		•
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	No. <sup>1</sup>	Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> ( <i>if known</i> )	or Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T <sub>6</sub>
	1.	wo	WO 02/28143 A2		Siemens Audiologische Technik GMBH	04-04-2002		
	2. WO 02/028143 A3		Siemens Audiologische Technik GMBH	04-04-2002				
	3.	wo	02/32208	A2	Phonak AG	04-25-2002		, , <del></del>
	4.	wo	02/032208	A3	Phonak AG	04-25-2002		

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<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark hee if English language Translation is attached.